

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
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Little Rock, Arkansas 72201-1094  
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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_



Hugh McDonald  
SECRETARY OF COMMERCE

Alan McClain  
COMMISSIONER,  
ARKANSAS INSURANCE  
DEPARTMENT

September 18, 2024

Honorable John Thurston  
Arkansas Secretary of State  
State Capitol Building  
Little Rock, AR 72201  
Attn. Arkansas Register

sent via email: [register@sos.arkansas.gov](mailto:register@sos.arkansas.gov)

Re: Proposed Rule 20 - Automatic and Expedited Licensure for Military Members, Veterans, and Spouses

Dear Secretary:

The Arkansas Insurance Department has scheduled a public hearing as to Proposed Rule 20 Automatic and Expedited Licensure for Military Members, Veterans, and Spouses. Enclosed are the DOI Notices of Public Hearing and a copy of the proposed rule.

Please arrange to publish the information in a format acceptable to the Secretary for at least 30 days in advance. Can you send us confirmation that we can use in the transcript as a public hearing exhibit?

An electronic filing will be made within the statutorily required 7 days. Thanks for your help.

Thank you,

*Clara D. Mezza*

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Enclosures

CC: Amanda Gibson, Managing Attorney



Hugh McDonald  
SECRETARY OF COMMERCE

Alan McClain  
COMMISSIONER,  
ARKANSAS INSURANCE  
DEPARTMENT

**DATE: SEPTEMBER 18, 2024**  
**TO: ALL PARTIES INTERESTED**  
**FROM: Arkansas Insurance Department**  
**SUBJECT: Proposed Rule 20 Automatic and Expedited Licensure for Military Members, Veterans, and Spouses**

### **NOTICE OF PUBLIC HEARING**

The Arkansas Insurance Department ("AID") will host a Public Hearing on October 29, 2024 at 10 AM, in the Second Floor Diamond Mine Hearing Room, in the Arkansas Department of Commerce Building, One Commerce Way, Little Rock, Arkansas 72202.

The Arkansas Insurance Commissioner is considering adopting Proposed Rule 20 Automatic and Expedited Licensure for Military Members, Veterans, and Spouses. Ark. Code Ann. § 17-4-101 et seq. requires occupational licensing entities to adopt rules requiring automatic licensure and expedited initial licensure for military service members, veterans, and spouses. Ark. Code Ann. § 17-4-105 requires occupational licensing entities to grant automatic licensure to military service members, veterans, and spouses. Ark. Code Ann. § 17-4-106 requires occupational licensing entities to expedite the process of initial licensure for military members, veterans, and spouses.

All interested persons are encouraged to attend the Public Hearing and may appear and present, orally or in writing, any statements, arguments, or opinions on the proposed Rule 20. Any written or oral comments will be accepted until the conclusion of the hearing on October 29, 2024. The Legal Division requests that persons desiring to testify at the hearing notify the Legal Division as soon as possible and submit intended statements in writing in advance of the hearing.

The proposed Rule 20 may be viewed on the Legal Division's website at <https://insurance.arkansas.gov/industry-regulation/legal/proposed-rules/>. Please direct your inquiries to the Legal Division at (501) 371-2820 or to [insurance.legal@arkansas.gov](mailto:insurance.legal@arkansas.gov).

## RULE 20

### AUTOMATIC AND EXPEDITED LICENSURE FOR MILITARY SERVICE MEMBERS, VETERANS, AND SPOUSES

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#### SECTION 1. AUTHORITY

This rule is issued pursuant to Ark. Code Ann. §§ 17-4-101 et seq., 23-61-108(a), and 25-15-201 et seq.

#### SECTION 2. DEFINITIONS

##### A. As used in this section:

1. “automatic occupational licensure” means the granting of a license without the individual’s having met occupational licensure requirements provided under the Arkansas Insurance Code or by Department Rule.
2. “licensure” means the issuance of any of the following licenses:
  - a. Certified Application Counselor;
  - b. Claims Adjuster;
  - c. Emergency Temporary Producer;
  - d. In Person Assistant Guide;
  - e. Insurance Consultant;
  - f. Insurance Producer;
  - g. Life Settlement Broker;
  - h. Managing General Agent;
  - i. Navigator;
  - j. Purchasing Group Broker;
  - k. Reinsurance Intermediaries Broker;
  - l. Reinsurance Intermediaries Manager;
  - m. Risk Retention Agent; and

- n. Surplus Lines Broker.
- 3. “returning military veteran” means a former member of the United States Armed Forces who was discharged from active duty under the circumstances other than dishonorable.
- 4. “uniformed service member” means:
  - a. An active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard;
  - b. An active component member of the National Oceanic and Atmospheric Commissioned Officer Corps; or
  - c. An active or reserve component member of the United States Commissioned Corps of the Public Health Service.
- 5. “uniformed service veteran” means a former member of the United States uniformed services discharged under conditions other than dishonorable.

### **SECTION 3. REQUIREMENTS FOR AUTOMATIC LICENSURE**

- A. The Arkansas Insurance Department shall grant automatic licensure to any of the following individuals:
  - 1. A uniformed service member stationed in the State of Arkansas;
  - 2. A uniformed service veteran who resides in or establishes residency in the State of Arkansas;
  - 3. The spouse of a uniformed service member stationed in the State of Arkansas;
  - 4. The spouse of a uniformed service veteran who resides in or establishes residency in the State of Arkansas;
  - 5. The spouse of a uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; and

- 6. The spouse of a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.
- B. The Department shall grant automatic licensure to any individual listed in Subsection 3.A, and who is a holder in good standing of a license with similar scope and practice issued in another state, territory, or district of the United States. No testing will be required.
- C. The Department shall extend the expiration date of any license issued for a deployed service member or his or her spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.
- D. The Department shall allow for a full exemption from continuing education requirements for any individual listed in Subsection 3.A, until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.
- E. In order to allow for full exemption of continuing education, the Department may require evidence of completion of continuing education before granting a subsequent licensure or authorizing the renewal of the license.

#### **SECTION 4. REQUIREMENTS FOR EXPEDITED INITIAL LICENSURE**

- A. This Section applies to individuals who have never been licensed in the insurance industry in this state or in any other U.S. State, district, or territory, and who qualify as one of the individuals listed in Subsection 3.A.
- B. All individuals listed in Subsection 3.A of this rule shall be eligible for expedited initial licensure.
- C. Such an individual shall first apply for provisional licensure. The application for provisional licensure shall be made on a form approved by the Commissioner.
- D. The application for provisional licensure shall be accompanied by the provisional licensure application fee. Once the Department has verified the required documentation, a provisional license will be issued to the individual. The provisional license will be valid for 180 days.
- E. An individual who has been issued a provisional license pursuant to this Rule is required to be supervised by an individual who is licensed with the same scope

of practice as the provisional license being applied for, which shall be one of the licenses listed in Subsection 2.A.2.

- F. If needed, an individual may request an extension of the provisional license beyond the 180 days, in order to attain full licensure.
- G. The Department shall accept relevant and applicable uniformed service education, training, national certifications, or service- issued credential toward licensure qualifications or requirements when considering an application for provisional licensure of an individual who is a uniformed service member or a uniformed service veteran who makes an application after his or her discharge from uniformed service.

## **SECTION 5. EFFECTIVE DATE**

This Rule shall be effective upon approval by the Arkansas Legislative Council, and shall go into effect ten (10) days after filing the final rule with the Secretary of State.

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ALAN MCCLAIN  
INSURANCE COMMISSIONER

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DATE

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**ARKANSAS DEPARTMENT OF COMMERCE  
ARKANSAS INSURANCE DEPARTMENT**

**PROPOSED RULE 20 AUTOMATIC AND EXPEDITED LICENSURE FOR  
MILITARY SERVICE MEMBERS, VETERANS, AND SPOUSES**

**EXECUTIVE SUMMARY**

The proposed rule is needed to implement Ark. Code Ann. § 17-4-101 et seq.

**PURPOSE**

The Arkansas Insurance Department seeks Governor Sanders' review of the proposed rule granting automatic and expedited licensure to military service members, veterans, and spouses.

**BACKGROUND**

Ark. Code Ann. § 17-4-101 et seq. requires occupational licensing entities to adopt rules requiring automatic licensure and expedited initial licensure for military service members, veterans, and spouses. Ark. Code Ann. § 17-4-105 requires occupational licensing entities to grant automatic licensure to military service members, veterans, and spouses. Ark. Code Ann. § 17-4-106 requires occupational licensing entities to expedite the process of initial licensure for military members, veterans, and spouses.

**RECOMMENDATION**

The Department recommends that the rule be approved as proposed.